## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

P & S X-RAY Co., INC. d/b/a MEDICAL

IMAGING SYSTEMS,

Plaintiff

ν.

Civil Action No. 1:04-CV-11239-RGS

HOLOGIC, INC., et al.

Defendants

## STIPULATION OF DISMISSAL

The undersigned parties, by and through their counsel, hereby stipulate, pursuant to Fed.R.Civ.P. 41(a)(1) that this action shall be dismissed by the Court.

The parties have agreed that each party is to bear its own attorneys' fees and costs. All stays, reports and appeals are waived.

HOLOGIC, INC.,

By its Attorneys,

M. Frederick Pritzker, Esquire Gregory T. Arnold, Esquire

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Dated: December 21, 2004

P&S X-RAY CO., INC. d/b/a MEDICAL IMAGING SYSTEMS,

By its Attorneys,

Genie Lambeth, Esquire Yearout & Traylor, P.C.

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Tel

Fax

1, hereby certify that on this 21st day of December, 2004. I caused a true and correct copy of the foregoing pleading to be served, by facsimile, on counsel for all

parties

Gregory T. Arnold